

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SHERMAN P. LOHR and JOYCE  
K. LOHR,  
Plaintiffs,

v.

CONSECO, INC., CONSECO LIFE  
INSURANCE COMPANY, CONSECO  
INSURANCE GROUP, CONSECO  
SERVICES, L.L.C., all in their individual  
corporate capacities and as successors-  
in-interest to Massachusetts General  
Life Insurance Company, RAYMOND  
E. BOSTIAN, and BOSTIAN  
RETIREMENT AND INVESTMENT  
SPECIALISTS, INC.,  
Defendants.

1:07CV374

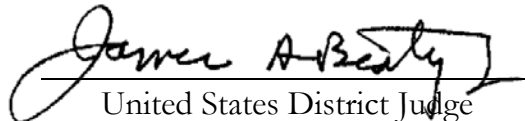
ORDER

BEATY, Chief District Judge.

For the reasons stated in the Memorandum Opinion filed contemporaneously herewith,  
IT IS HEREBY ORDERED that Plaintiffs' Motion to Remand [Document #22] is  
GRANTED, and this matter is hereby REMANDED to the General Court of Justice, Superior  
Court Division, Davidson County, North Carolina.

IT IS FURTHER ORDERED that Plaintiffs' request for attorneys' fees and costs is  
DENIED.

This, the 17<sup>th</sup> day of December, 2008.

  
United States District Judge

